

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- November 22, 1967

Appeal No. 9409 Mortgage Services Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 26, 1968.

EFFECTIVE DATE OF ORDER - April 8, 1968

ORDERED:

That the appeal for variance from the side yard requirements of the R-5-A District to permit single family row dwellings at northside of 2800 block of Pomeroy Road, SE., lot 151, square 5868, be granted.

FINDINGS OF FACT:

- [1] The subject property is located in a R-5-A District.
- [2] It is proposed to erect fourteen townhouses or row dwellings on the subject site.
- [3] Section 3105.31 provides that "Any use permitted in an R-4 District under paragraph 3104.3 of this Article, except row dwellings are not permitted in R-5-A Districts."
- [4] The subject appeal was accordingly amended to request a variance from the use provisions of the R-5-A District to permit row dwellings.
- [5] The architect testified that the site has poor soil and rough terrain and will not lend itself to development as an apartment building without substantial expense.
- [6] By letter dated March 22, 1968, the appellant requested that the FAR of the site be allowed to be increased to 1.1.
- [7] Each of the lots for the site will exceed 1,800 square feet except the lot at the corner of Dunbar and Pomeroy Roads which will be 1,770 square feet.

[8] No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

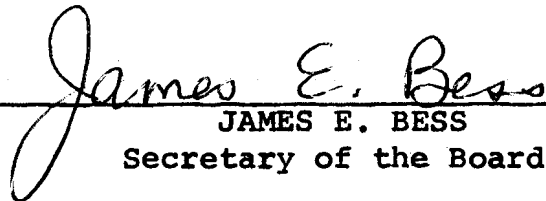
We are of the opinion that the appellant has shown a hardship within the meaning of the Zoning Regulations. The proposed subdivision and erection of single family row dwellings will have no adverse affect upon nearby and adjoining property. The row dwellings will reduce the density of the site from what the normal R-5-A development will permit. Therefore, we conclude that those proposed development will be in harmony with the general purpose and intent of the Zoning Regulations and Map.

We do not think that the normal FAR factors are applicable, however, at the request of appellant we limit the development of this site to an FAR of 1.1.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

BY:


JAMES E. BESS
Secretary of the Board

THE ABOVE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.